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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

KASHYAP P. PATEL, individually and on
behalf of the KASH FOUNDATION, INC.,
the KASH FOUNDATION, INC. an Idaho
Corporation,

Plaintiffs,

vs.

JIM STEWARTSON, an individual,

Defendant.

Case. No.: 2:23-cv-873-APG-NJK

**DECLARATION OF DEFENDANT
JIM STEWARTSON IN SUPPORT
OF DEFENDANT JIM
STEWARTSON'S**

**FED. R. CIV. P. 12 MOTION TO
DISMISS FOR LACK OF
PERSONAL JURISDICTION,
FAILURE TO SERVE AND LACK
OF SUBJECT MATTER
JURISDICTION**

AND

**MOTION TO SET ASIDE
DEFAULT JUDGMENT**

DECLARATION OF DEFENDANT JIM STEWARTSON

I, Jim Stewartson, hereby declare that the following is true and correct under the
penalties of perjury:

1. I am over the age of 18 years, I am competent to testify as to the facts stated
herein, and I have personal knowledge of the facts stated herein, except for those stated upon
information and belief, and as to those, I believe them to be true.

2. I have reviewed the affidavit of service (ECF No. 19) regarding Plaintiffs' alleged attempt to serve me on October 7, 2023.

3. Although the affidavit claims that "John Doe, housemate of Jim Stewartson...who stated that he/she resides therein with Jim Stewartson" was provided the Summons, Civil Cover Sheet, and Complaint, I have never had a housemate who matches the description in the affidavit at 1526 Steinhart Avenue or any other address.

4. Indeed, since my youngest child left the house in 2022, I have only lived with my wife at every address I have ever resided at, including 1526 Steinhart Avenue.

5. Likewise, although Plaintiffs' Affidavit of Support in Default (ECF No. 20) represents that copies of it were served upon me by regular mail, postage prepaid, I never received that document at 1526 Steinhart Avenue or any other address.

6. The first time I saw Plaintiffs' Affidavit of Support in Default was on August 25, 2025, when I was provided a copy by my counsel.

7. The first time I saw Plaintiffs' Motion for Default Judgment was on August 25, 2025, when I was provided a copy by my counsel.

8. Litigating this matter in Nevada rather than California would impose several inconveniences and burdens on me, as I have lived in California for 35 years and have no connection to Nevada. Because I am an independent journalist, traveling out-of-state to participate in this litigation is beyond my means, would disrupt my ability to work, and disrupt my family.

9. To the extent that any of the communications reflected in Plaintiffs' complaint constitute statements of fact, I believed them to be true at the time I communicated them and still believe them to be true.

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1 10. Now that I have retained counsel, I am willing and able to participate in
2 this litigation and defend myself against Plaintiffs' meritless claims.

3 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing
4 is true and correct.

5 EXECUTED this 5th day of September, 2025.

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7 /s/ Jim Stewartson
8 JIM STEWARTSON
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